

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

May 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2599/14/FL
Parish(es):	Toft
Proposal:	Dwelling
Site address:	Land adjacent 32 High Street, Toft
Applicant(s):	Mr Steven Graham
Recommendation:	Approval
Key material considerations:	Principle of Development Design, siting and external appearance Impact on the setting of the Listed Building and the Conservation Area Residential Amenity Highway Safety
Committee Site Visit:	No
Departure Application:	No
Presenting Officer:	John Koch
Application brought to Committee because:	Parish Council recommendation of refusal conflicts with Officers recommendation
Date by which decision due:	13 January 2015

Site and Proposal

1. The proposal seeks full planning permission for the erection of a 3 bedroom, 1 ½ storey dwelling within the curtilage of an existing dwelling.
2. The dwelling would be constructed using brickwork and timber cladding with a slate roof. The proposal includes the demolition of the existing single garage. Access to the site would be from the existing drive which would be altered to provide a wider access point and greater parking area.
3. The site forms part of the side garden to 32, High Street Toft, an end of terrace dwelling to the west of the High Street. No 32 is a Grade II listed building and forms part of a terrace of 4 mid 19th century listed cottages (nos 26 to 32). These cottages are rendered with a slate roof and have symmetrical gable projections facing the

highway. To the south of the site is a large detached dwelling and to the east of the site are semi detached houses.

4. An amended plan has been submitted which provides for a revised access and parking plan. The vehicular crossing as been widened and the parking area enlarged to provide a separate parking and turning area for both the proposed and existing dwelling.
5. The site is located within the village framework for Toft and within the village Conservation Area.

Planning History

6. The site has been subject of a pre-application discussion. Officers considered that a new dwelling would be acceptable in principle.

Planning Policies

7. National Planning Policy Framework NPPF
National Planning Policy Guidance NPPG
8. Local Development Framework Core Strategy 2007
ST/7 Infill villages
9. Local Development Framework Development Control Policies (Adopted July 2007);
DP/1 Sustainable Development
DP/2 Design of new Development
DP/3 Development Criteria
DP/4 Infrastructure and New Development
DP/7 Development Frameworks
HG/1 Housing Density
NE/6 Biodiversity
NE/15 Noise Pollution
SF/10 Outdoor Playspace, Informal Open Space and New Developments
SF/11 Open Space Standards
TR/1 Planning for more Sustainable Travel
TR/2 Car and Cycle Parking Standards
10. Local Plan (Proposed Submission Version (July 2013)
S/1 Vision
S/2 Objectives of the Local Plan
S/11 Infill Villages
S/7 Development Frameworks
HQ/1 Design principles
H/7 Housing Density
TI/3 Parking Provision
NH/14 Heritage Assets
11. Supplementary Planning Documents
District Design Guide SPD (adopted March 2010)

Consultations

12. **Toft Parish Council** recommends refusal. Insufficient segregated parking, Narrowness of the site, overlooking, concern at road drains outside property.

13. The **Local Highway Authority** originally raised an objection on the grounds of insufficient space on site for the turning of vehicles to enable vehicles to enter and leave in forward gear. Two clearly defined accesses for each dwelling should be provided.

Comments of amended plans - no objections, subject to conditions controlling pedestrian visibility splays, drainage, and bound materials for the access drive.

Representations

14. None have been received.

Planning Comments

Principle of Development

15. The NPPF advises that every effort should be made to identify and then meet the housing needs of an area, and respond positively to wider opportunities for growth. Additionally the Development Plan (Core Strategy Development Plan Document adopted January 2007 and Development Control Policies Development Plan adopted January 2007) identifies Toft as an 'infill village' where the subdivision of an existing curtilage for the construction of up to 2 residential dwellings within the framework is supported.
16. The proposed development would have been acceptable in principle having regard to adopted LDF and emerging Local Plan policies, had policies ST/7 and DP/7 not become out of date as a consequence of the Council not currently being able to demonstrate a five-year supply of deliverable housing sites.
17. Development Plan policies state that planning permission will only be granted for proposals that have made suitable arrangements towards the provision of infrastructure necessary to make the scheme acceptable in planning terms. Contributions towards open space, sport and recreation facilities, indoor community facilities and waste receptacles have been identified. Such provision cannot be made on site and can therefore only be provided by way of financial contributions.
18. National Planning Practice Guidance seeks to remove the disproportionate burden of developer contributions on small scale developers. It advises that tariff style contributions should not be sought for sites of 10 units or less, and which have a maximum combined gross floor space of 1000 square metres. The development falls within this threshold.
19. The Guidance is a material consideration and the overall benefits of the development are considered to outweigh the need to make suitable arrangements for the provision of infrastructure. No request for such provision is therefore sought

Design, siting and external appearance

20. While this is a relatively narrow site, particularly the frontage, the proposed dwelling has been designed to provide a gable facing the front and rear of the site to reduce the massing of the building and provide a simple form which respects the scale and form of the adjacent listed cottages. The proposed dwelling would be set back from the front elevation of the listed terrace and the ridge height and eaves height would be lower in order that it would appear subordinate to the listed cottages and provide

for a good degree of separation to maintain and preserve the setting of the listed buildings.

21. The proposed materials respect the historic and rural nature of the adjacent listed building and surroundings. In the event the application is approved, it is recommended a condition requiring the specific colour of the materials to be agreed should be attached.

Impact on the setting of the Listed Building and Conservation Area

22. Section 72 of the Planning (Listed Building & Conservation Area) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and Section 66 requires the Council to have special regard to the desirability of preserving the building or its setting.
23. It is considered the proposal has responded in positive manner to reflect the context of the site and is respectful to the setting of the listed building. As such it is considered the proposal preserves the setting of the adjacent listed buildings and the character and appearance of the Conservation Area.

Residential Amenity

24. The proposed dwelling has been designed to avoid overlooking and overshadowing of the neighbouring properties. There are no first floor windows in the side elevations facing either of the neighbouring properties. The roof lights in the north elevation have cill heights of at least 1.7m above finished floor level and are therefore above eye level. The rear elevation is set back behind the rear of the adjacent properties and thus all the windows face down the garden and not across into neighbouring gardens. The proposal would therefore not overlook adjoining properties.
25. In terms of outlook, the neighbouring property to the south does not have any windows facing the development site than above eye level rooflights. The existing property to the north does not have any principal windows facing the development site. The orientation of the dwelling reduces the massing of the building and as such the proposal would not have an adverse impact on outlook.
26. A shadow study has been submitted to demonstrate that the level of overshadowing would be minimal and within an acceptable level.
27. The proposal would provide for a good level of amenity space for both the proposed and existing dwelling.
28. Conditions will also be attached to ensure the neighbours' amenities are safeguarded by ensuring the proposed rooflights are above eye level, preventing any further openings in the side elevations at and above first floor level without prior written consent and a restriction on demolition/construction times.

Highway Safety

29. The Local Highway Authority has no objection to the development subject to certain conditions regarding the provision of pedestrian visibility splay and construction of access. The proposals include segregated parking and turning for both the existing and proposed dwelling.

Other matters

29. The parish council has not expanded upon its concerns for the road drains. Details are shown on the submitted layout plan and the local highway authority has not raised this is an issue.

Conclusion

30. Any adverse impacts of the development are not considered to significantly and demonstrably outweigh the benefits when assessed against the material considerations set out in this report, and the development remains acceptable.

Recommendation

31. Approval subject to:

Conditions

- (a) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans: 32-1014-P-099 Rev A; 32-1014-P-100; 32-1014-P-200; 32-1014-P-300
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
- (c) No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
- (d) The permanent space to be reserved on the site for turning and parking shall be provided before the dwelling hereby approved is first occupied and thereafter retained.
(Reason - In the interests of highway safety.)
- (e) The proposed driveway shall be constructed using a bound material to prevent debris spreading onto the adopted public highway and with falls and levels such that no private water from the site drains across or onto the adopted public highway
(Reason: In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework)
- (f) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or openings of any

kind, other than those expressly authorised by this permission, shall be constructed in the side elevations of the dwelling at and above first floor level unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf.

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

- (g) Notwithstanding the approved drawings, the proposed rooflights in the side (north) elevation of the dwelling shall be permanently fitted with obscure glazing and non-opening unless the bottom of the rooflight is more than 1.7m above the floor level of the room in which it is installed.

(Reason - To safeguard the privacy of adjoining occupiers in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (Adopted 2007)
- South Cambridgeshire Local Plan Proposed Submission (July 2013)
- Planning Reference File: S/2599/14/FL.

Report Author: Viv Bebbington – Planning Consultant
Telephone (01362) 656230